

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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|-------------------------------|---|---------------------|
| SAMSUNG ELECTRONICS CO., LTD. | : | |
| and LG ELECTRONICS CO., LTD., | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | C.A. No. 08-348-GMS |
| | : | |
| PETTERS GROUP WORLDWIDE, LLC, | : | |
| POLAROID CORPORATION, and | : | |
| WESTINGHOUSE DIGITAL | : | |
| ELECTRONICS, LLC, | : | |
| | : | |
| Defendants. | : | |

**PETTERS GROUP WORLDWIDE, LLC’S AND POLAROID CORPORATION’S
MOTION TO DISMISS AND FOR A MORE DEFINITE STATEMENT OR,
ALTERNATIVELY, FOR SUMMARY JUDGMENT WITH RESPECT TO PETTERS**

Defendants, Polaroid Corporation (“Polaroid”) and Petters Group Worldwide, LLC (“Petters”), hereby jointly¹ request the Court to dismiss Plaintiffs’, Samsung Electronics Co., Ltd.’s (“Samsung”) and LG Electronics Co., Ltd.’s (“LG”), Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failing to state a cause of action. *See* Amended Complaint [D.I. 16]. However, if the Court concludes that Plaintiffs have stated a cause of action, Petters and Polaroid hereby jointly request pursuant to Federal Rule of Civil Procedure 12(e) that the Court require Plaintiffs to plead with greater specificity their cause of action, in order for Polaroid and Petters to be able to properly answer the Amended Complaint. Alternatively, to the extent that the Amended Complaint is not dismissed against Petters and Polaroid, Petters hereby requests the Court to grant summary judgment removing Petters from this lawsuit pursuant to Rule 56 of the Federal Rules of Civil Procedure, as Petters does not perform any act which could otherwise form the basis of any infringement claim of Plaintiffs’

¹ Petters is the parent corporation of Polaroid.

asserted patents under 35 U.S.C. §271(a). Petters and Polaroid respectfully refer the Court to their Opening Brief filed herewith for the basis of the relief sought.

Respectfully submitted,

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